

International and other U.N. groups, under Saddam Hussein, torture victims in Iraq in this prison were blindfolded, stripped, suspended from their wrists for long hours. Electric shocks and probes were used, including areas of the genitals, ears, the tongue and fingers. They were beaten and whipped. Every type of treatment that was inhumane and unimaginable was done in this prison.

It should have been closed down and it should have been torn down when we liberated Iraq, and it was not done. Unfortunately, for several months last year a small number of our soldiers, as yet to be determined, were involved in embarrassing situations with Iraqi prisoners that we detained.

Now, our justice system works very quickly. And I am proud to report to our colleagues today that within 2 hours, the first soldier that was involved in committing acts that many would call in violation of the Geneva Final Accord was convicted, having pled guilty to crimes against prisoners. This will follow very quickly a justice system that will not drag out for months or years, but within a matter of weeks will hold our American service personnel, a very small number of them, accountable for acts that they committed at this same prison.

What we are saying in this amendment very simply, Mr. Chairman, is assuming the new Iraqi Government, which will take place on July 1, agrees, and it will be their decision because it will be their country, then we are encouraging our Defense Department to work with that government in tearing down this symbol of terrorism, in tearing down this symbol of torture and hatred, to send a clear signal to the Iraqi people that this era of terrible atrocities has really ended; and a new prison will be constructed either at that site or some other site, to allow Iraq to house the prisoners that they have to hold for proper trial and for jurisprudence.

It is the sense of the Congress that the Secretary should assist the Iraqi Government, with the approval of that government, in destroying the prison and replacing it with a modern detention facility.

Mr. Chairman, I reserve the balance of my time.

Mr. MCCOTTER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore (Mr. SIMPSON). The gentleman is recognized for 10 minutes.

Mr. MCCOTTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, while I strongly support the underlying bill and fully respect the intent of the esteemed Member's amendment, I reluctantly rise in opposition to it, which I believe at present could potentially result in the alacritous demolition of Iraq's Abu Ghraib Prison.

In so rising, I site the present disposition of another notorious site of

murder and repression, Ireland's Kilmainham Jail. Built in Dublin by the British, from 1796 until the release of its last prisoner and future Irish president, Eamon de Valera, in 1924, Kilmainham Jail played a grim host to the incarceration, repression, and execution of Irish prisoners by both the English and then, most tragically, by the Irish themselves.

After initially falling into disrepair and dilapidation, the jail's restoration was commenced in 1960 and eventually concluded in the 1980s by the Irish Republic's Office of Public Works. Today, over 150,000 visitors a year come from all over the world to view Kilmainham Jail, for it constitutes a historical mirror into the torturous times which culminated in Irish independence.

In its present state, Kilmainham Jail has been wrested from its inhuman captors' use as a paradigm of oppression and death, and has instead been presented to humanity as an enduring testament to the transcendence and ultimate triumph of the human spirit in the face of evil.

Mr. Chairman, so too must stand Abu Ghraib Prison. For decades, Abu Ghraib Prison housed the murder, torture and rape of Iraqi citizens at the hands of a butcher, Saddam Hussein, and most tragically has seen the inhumane treatment of Iraqi prisoners by an unrepresentative smattering of despicable captors.

Thus, just as Irish suffering secured Irish ownership of Kilmainham Jail's fate, Iraqi suffering has secured Iraqi ownership over Abu Ghraib Prison's fate.

Abu Ghraib is not America's to obliterate as a site of evil. It is Iraq's to elevate as a testament to history and a caution of the future.

Yet, this is but my opinion, for not being an Iraqi, such is not my decision to make. Nor, I caution, is this a decision to be made by the Coalition Provisional Authority or the Iraqi Governing Council. The CPA and IGC are transitory stewards of Iraqi sovereignty. They are not the sovereign government comprised of the Iraqi people. Thus, if the CPA and/or the IGC makes a determination on Abu Ghraib's future, especially its demolition, such an action will be viewed by many Iraqis as having been done at the behest of the U.S. and our allies and not on behalf of the Iraqi people by the Iraqi people.

In a country and a time teeming with missed opportunities and impending deadlines, let us not miss this chance to act presciently, not precipitously.

I make then the following proposal: Immediately upon the transfer of sovereignty from the Coalition Provisional Authority to the Iraqi people on July 1, the United States must formally tender to the Iraqi government Abu Ghraib Prison. Then the Iraqi people and their new sovereign government, without external pressure and through free speech, debate, assembly, petition and all lawful political proc-

esses, the very political freedoms we are trying to impart to them, can justly make their final determination upon Abu Ghraib's final fate.

Nothing could more clearly and fully exhibit our true and sustained commitment to our own democratic principles and to the Iraqi people that our manifest comprehension of a few depraved captors' shame does not eclipse thousands of Iraqis' pain.

This is the sovereign Iraqis' decision to make. It is not ours to insist upon or suggest but only to abide.

Mr. Chairman, I reserve the balance of my time.

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Chairman, I happen to think the gentleman has a good amendment. In my opening statement on the bill in the committee, if the gentleman will recall, I suggested this very, very strongly. And without going into great detail, I will just reiterate what I said then and I will agree with the amendment of the gentleman.

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the distinguished ranking member and good friend for his comments.

Just for the record, I would remind my good friend and colleague, the gentleman from Michigan (Mr. MCCOTTER) that there will no provisional authority when this bill becomes law. The fact that we vote on this tomorrow does nothing because this bill has to go through the process of working with the other body and being signed by the President. That cannot happen and will not happen until probably October or November of this year.

By October or November of this year, there will be no more provisional authority; it will not exist. There will be an Iraqi Government. And that is what this amendment says; it says only if the Iraqi Government suggests and approves that this action be taken is our Defense Department encouraged to cooperate in that effort.

I would say to my friend and colleague, in the institution he cited in Ireland, there was no U.S. involvement that I am aware of in committing atrocities at that Irish prison. And so perhaps that prison stands to the atrocities caused by those people in Ireland who committed them.

In this case, as all Arabs know, there were in fact very serious incidents caused by Americans. I do not want that prison to be a testament to American atrocities when the greater symbol for the Iraqi people should be the liberation of that country so that they can take care of their own jurisprudence as we have called for and allow them to move forward without the stigma of what was accomplished by a very small number of American soldiers in that prison.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?